

Notice of Allowability

Application No.

09/641,095

Examiner

Akiba K. Robinson-Boyce

Applicant(s)

BENSON, DONALD B.

Art Unit

3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 5/5/06.
2. ☒ The allowed claim(s) is/are 9,13-15,18,21-23 and 28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Allowable Subject Matter

1. Claims 9, 13-15, 18, 21-23 and 28 are allowed.
2. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office Action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.
3. The following is an examiner's statement of reasons for allowance. None of the prior art of record either individually or in combination teach the following:
 - a second printhead *at the co-mailer* for printing the identifier information on each of the plurality of diverse publications in a customized orientation and a customized placement on a second portion of each of the plurality of diverse publications.
 - a merge stream at the co-mailer that merges the plurality of first publications and the plurality of second publications into the order to mail the plurality of diverse publications to the plurality of recipients.
 - A co-mailer merge and sequence module *at the co-mailer* that receives a plurality of verified sequence lists from the bindery, each of the plurality of verified sequence lists containing the order for each of the plurality of publications received from the bindery, the co-mailer merge and sequence module merging each of the plurality of verified sequence lists to create a merged verified sequence list, the merged verified sequence list sequenced in the order to determine the mail rate.

The present invention discloses a system for combined mailing (co-mailing) of a plurality of diverse publications to a plurality of recipients. The first allowable feature of having a second printhead *at the co-mailer* for printing the identifier information on each of the plurality of diverse publications in a customized orientation and a customized placement on a second portion of each of the plurality of diverse publications is not disclosed by any prior art reference. The closest prior art, Mayer et al (US 5,287,976) shows a system and method for co-mailing a plurality of diverse publications to their intended recipients. Here, copies fed to the co-mailing line are accumulated into co-mailing stacks formed by copies having a common indicia of assembled mailing information after which the co-mailing stacks are prepared for mailing. The second closest prior art, Delfer III discloses a system that uses weight and thickness data for each mailing piece for optimizing the tracking of mailing pieces containing various inserts. The next closest prior art, Humes et al (US 5,377,120) discloses an apparatus for a small mailing service, where pro-printed, un-addressed mail pieces of non-identical size delivered to the mailing service from different merchants are combined to create mailing bundles at the lowest postal rate, and grouped into bundles to create a single mailing. However, Mayer et al, Delfer III and Humes et al all fail to disclose the feature of a second printhead *at the co-mailer* for printing the identifier information on each of the plurality of diverse publications in a customized orientation and a customized placement on a second portion of each of the plurality of diverse publications. This distinct feature has been added to independent claims 9, 18 and 28, and therefore makes them allowable.

The second allowable feature of having a merge stream at the co-mailer that merges the plurality of first publications and the plurality of second publications into the order to mail the plurality of diverse publications to the plurality of recipients is not disclosed by any prior art reference. The closest prior art, Mayer et al (US 5,287,976) shows a system and method for co-mailing a plurality of diverse publications to their intended recipients. Here, copies fed to the co-mailing line are accumulated into co-mailing stacks formed by copies having a common indicia of assembled mailing information after which the co-mailing stacks are prepared for mailing. The second closest prior art, Delfer III discloses a system that uses weight and thickness data for each mailing piece for optimizing the tracking of mailing pieces containing various inserts. The next closest prior art, Humes et al (US 5,377,120) discloses an apparatus for a small mailing service, where pro-printed, un-addressed mail pieces of non-identical size delivered to the mailing service from different merchants are combined to create mailing bundles at the lowest postal rate, and grouped into bundles to create a single mailing. However, Mayer et al, Delfer III and Humes et al all fail to disclose the feature of a merge stream at the co-mailer that merges the plurality of first publications and the plurality of second publications into the order to mail the plurality of diverse publications to the plurality of recipients. This distinct feature has been added to independent claims 13, 14, 15, 18, 21, 22 and 23, and therefore makes them allowable.

The third allowable feature of having a co-mailer merge and sequence module *at the co-mailer* that receives a plurality of verified sequence lists from the bindery, each of the plurality of verified sequence lists containing the order for each of the plurality of

Art Unit: 3639

publications received from the bindery, the co-mailer merge and sequence module merging each of the plurality of verified sequence lists to create a merged verified sequence list, the merged verified sequence list sequenced in the order to determine the mail rate is not disclosed by any prior art reference. The closest prior art, Mayer et al (US 5,287,976) shows a system and method for co-mailing a plurality of diverse publications to their intended recipients. Here, copies fed to the co-mailing line are accumulated into co-mailing stacks formed by copies having a common indicia of assembled mailing information after which the co-mailing stacks are prepared for mailing. The second closest prior art, Delfer III discloses a system that uses weight and thickness data for each mailing piece for optimizing the tracking of mailing pieces containing various inserts. The next closest prior art, Humes et al (US 5,377,120) discloses an apparatus for a small mailing service, where pro-printed, un-addressed mail pieces of non-identical size delivered to the mailing service from different merchants are combined to create mailing bundles at the lowest postal rate, and grouped into bundles to create a single mailing. However, Mayer et al, Delfer III and Humes et al all fail to disclose the feature of a co-mailer merge and sequence module *at the co-mailer* that receives a plurality of verified sequence lists from the bindery, each of the plurality of verified sequence lists containing the order for each of the plurality of publications received from the bindery, the co-mailer merge and sequence module merging each of the plurality of verified sequence lists to create a merged verified sequence list, the merged verified sequence list sequenced in the order to determine

the mail rate. This distinct feature has been added to independent claims 14, 15, 21, 22, and 23, and therefore makes them allowable.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

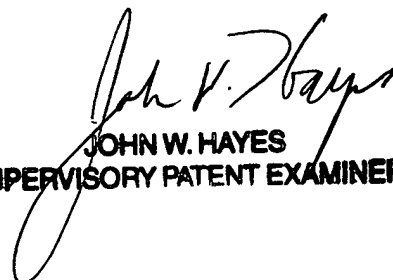
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


A. R. B.
May 11, 2006


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER